

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

NORVILL S. CLARK,

Plaintiff,

v.

Civil Action No. 2:19-cv-00554

THE CITY OF RICHWOOD,  
THE CITY COUNCIL FOR THE CITY  
OF RICHWOOD, BOB HENRY BABER,  
former Mayor of City of Richwood,  
and CARA PERKINS,  
former Liaison to the Mayor,

Defendants.

MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Dwane L. Tinsley, entered on October 21, 2019; and the magistrate judge having recommended that the court grant the defendants' motion to dismiss the original complaint without prejudice, and dismiss without prejudice the plaintiff's claims against defendants Robin Brown, Ann Spencer, Chris McKenzie, Glen Weiler, James Vannoy, Chris Drennen, Chuck Toussieng, Britt Nicholas, and Sherry Chapman, inasmuch as they are not named as parties in the amended complaint filed on October 21, 2019; and there being no objection filed to the Proposed Findings and Recommendation, it is ORDERED that the findings and recommendations made in the Proposed Findings and Recommendation of the magistrate judge be,

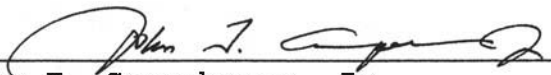
and they hereby are, adopted by the court and incorporated herein.

It is, accordingly, ORDERED that the original complaint be, and it hereby is, dismissed. It is further ORDERED that the defendants' motion to dismiss be, and it hereby is, dismissed without prejudice and that the following defendants be, and hereby are, dismissed without prejudice: Robin Brown, Ann Spencer, Chris McKenzie, Glen Weiler, James Vannoy, Chris Drennen, Chuck Toussieng, Britt Nicholas, and Sherry Chapman.

It is further ORDERED that this case remains referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1).

The Clerk is directed to forward copies of this memorandum opinion and order to all counsel of record and to the United States Magistrate Judge.

DATED: November 20, 2019

  
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John T. Copenhaver, Jr.  
Senior United States District Judge